



## REGULAR MEETING OF THE PLANNING COMMISSION

**Wednesday, February 23, 2005**  
**North Berkeley Senior Center**  
**7:00 PM**

**1901 Hearst Avenue**

### AGENDA

1. *Roll Call*
2. *Order of Agenda*
3. *Public Comment Period:* Speakers are customarily allotted up to three minutes each. Speakers are encouraged to submit more extensive comments in writing. To ensure adequate time for action items on the Agenda, the Planning Commission may limit the number of public speakers during the public comment period.
4. *Planning Staff Report:* Report on upcoming planning issues and recent Council actions. In addition to the items below, additional matters may be reported to the Commission at the meeting.
5. *Chairperson's Report:* Report by Commission Chair.
6. *Committee Reports:* Reports by Commission committees or liaisons. In addition to the items below, additional matters may be reported to the Commission at the meeting.
  - a. Creeks Task Force
  - b. Southside EIR Subcommittee
  - c. Landmark Preservation Ordinance (LPO) Subcommittee
7. *Approval of Minutes: Hold to next meeting.*
8. *Future Planning Commission Agenda Items and Other Planning-Related Events* (copy attached).

**ACTION ITEMS:** Matters for discussion and possible action.

9. **Merger Determination, 99 Arden Rd.** Adopt a resolution to affirm the determination of the Director of Planning and Development merging property identified as Assessor's Parcel Nos. 055-1862-032 and 055-1862-052, between Arden Road and Mosswood Road, Berkeley, pursuant to the requirements of the City's merger ordinance, Chapter 21.52 of the Berkeley Municipal Code, and Section 66451.11 of the California Government Code.
10. **Appeal of Proposal To Merge Property at 340-360 Panoramic Way (Assessor's Parcel Nos. 055-1859-043-01, 055-1859-043-02, 055-1859-044-01).** Affirm the determination of the Director

of Planning and Development that the property known as 340-360 Panoramic Way, comprising three lots identified as Assessor's Parcel Nos. 055-1859-043-01, 055-1859-043-02, and 055-1859-044-01, is merged pursuant to the requirements of the City's merger ordinance, Chapter 21.52 of the Berkeley Municipal Code, and Section 66451.11 of the California Government Code.

11. **Proposed Zoning Amendments to implement the Mayor's Task Force on Permitting and Development Recommendations C1.1 and C1.2 for non-residential parking requirements** (Continued from January 12, 2005 and February 9, 2005) (Commissioners, please bring the January 12, 2005 and February 9, 2005 staff reports to the meeting.) (Staff report attached.) (Documents related to this matter are posted at the City's web site at [www.ci.berkeley.ca.us/planning/Workshop/commercial\\_parking.html](http://www.ci.berkeley.ca.us/planning/Workshop/commercial_parking.html))

**PUBLIC HEARING/WORKSHOP:**

12. **Public Hearing/Workshop: Proposed General Plan Amendment and Rezoning to allow for the West Berkeley Bowl Project, a full-service grocery marketplace including construction of two buildings totaling 91,060sq. ft., at 920 Heinz Avenue (Continued from January 12 and 26, and Feb 9, 2005)** (Staff report attached) Commissioners, please bring the staff reports dated Dec. 15, 2004, January 12, and Feb 9, 2005 to the meeting.) (Documents related to this proposal are posted at the City's web site at [www.ci.berkeley.ca.us/planning/landuse/Heinz/default.htm](http://www.ci.berkeley.ca.us/planning/landuse/Heinz/default.htm))

**COMMUNICATIONS:** In compliance with Brown Act regulations, no action may be taken on these items. However, discussion may occur at this meeting upon a Commissioner request. Normally, communications received by the end of the day on the Wednesday one week before the Planning Commission meeting will be transmitted with the staff report packet to the commissioners. Communications received later will be sent to the Commission separately, either by handing out at the meeting or including in the next available Planning Commission packet.

- Memorandum from Anne Reid Slaby, PhD dated February 16, 2005 concerning Mergers of Lots in the Environmental Safety District
- Letter and report from Eugenie Thomson of TTE, Inc. dated February 9, 2005 concerning traffic study at 920 Heinz Ave. (West Berkeley Bowl)
- Memorandum from Sara Shumer dated February 9, 2005 concerning West Berkeley Bowl
- Letter from Donald C. Trueblood of Levine-Fricke dated February 9, 2005 for École Bilingue concerning West Berkeley Bowl
- Letter from Carrie Dovzak dated February 9, 2005 concerning West Berkeley Bowl
- Letter from Neil Mayer and Associates dated February 7, 2005 concerning 920 Heinz St.
- Letter from Nancy Skowbo of AC Transit dated February 3, 2005 concerning "**Designing with Transit**" (new publication)
- Letter and Position Statement from Ayman Fawaz of Ecole Bilingue dated February 3, 2005 concerning West Berkeley Bowl
- Memorandum from Phil Kamlarz to Mayor and Council dated February 3, 2005 concerning Transportation for Livable Communities grant
- Email from Mark Ripperda dated February 9, 2005 concerning West Berkeley Bowl

- Email from Judi Stamps dated February 5, 2005 concerning Reviewing Density Calculations
- Email from V.V. Krishnan dated February 5, 2005 concerning City Policies for Calculating Densities
- Letter from Steven Saylor and Richard Solomon dated February 2, 2005 concerning density bonus appeal
- Memorandum from Zelda Bronstein dated February 16, 2005 concerning “Agendaizing” the Election of Planning Commission officers
- Letter from Saravana Suthanthira of the Alameda County Congestion Management Agency dated February 8, 2005 concerning West Berkeley Bowl

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**Please refrain from wearing scented products to public meetings.**

**Written material** may be viewed in advance of the meeting at the Planning and Development Department, 2118 Milvia Street, Third Floor, during working hours or at the Main Branch Library, Shattuck/Kittredge Streets, during regular library hours at the Reference Desk.

**Accommodations Provided Upon Request.** To request meeting materials in large print, Braille, or on cassette, or to request a sign language interpreter, assistive-listening device, real-time captioning or other accommodation for the meeting, call 981-7480 (voice) or 981-7474 (TDD). Providing at least five working days’ notice will help to ensure availability at the meeting.

**Note: If you object to a project or to any City action** or procedure relating to the project application, any lawsuit which you may later file may be limited to those issues raised by you or someone else in the public hearing on the project, or in written communication delivered at or prior to the public hearing. The time limit within which to commence any lawsuit or legal challenge related to these applications is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitations period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred.